## **PATENT**

## UTILITY PATENT APPLICATION TRANSMITTAL

(only for new non-provisional applications under 37 CFR §1.53(b))

Mail Stop Patent Application Commissioner of Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application under 37 CFR 1.53(b) of:

AVENTIS DOCKET NO.: **DEAV2002/0057 US NP** INVENTORS: **STROBEL**, et al. TITLE:**ACYLATED**, **HETEROARYL-CONDENSED CYCLOALKENYLAMINES AND THEIR USE AS PHARMACEUTICALS** 

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 31, 2003
Date of Deposy
Signature

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| APPLICATION ELEMENTS |  |   |              |    |  |  |  |  |  |
|----------------------|--|---|--------------|----|--|--|--|--|--|
| 1.                   | $\boxtimes$  | *Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)   |              |    |  |  |  |  |  |
| 2.                   |  | Specification (preferred arrangement set forth below) - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure | Total Pages  | 84 |  |  |  |  |  |
| 3.                   |  | Drawing(s) (35 U.S.C. 113)  | Total Sheets |    |  |  |  |  |  |
| 4.                   | Oath<br>a.   | n or Declaration  Newly unexecuted (original or copy)   | Total Pages  | 2  |  |  |  |  |  |
|                      | b. Copy from a prior application (37 CFR § 1.63(d))  |   |              |    |  |  |  |  |  |
|                      | i. DELETION OF INVENTOR(S)  Signed statement attached deleting inventor(s) named in the prapplication, see 37 CFR §§ 1.63(d)(2) and 1.33(b).   |   |              |    |  |  |  |  |  |
| 5.                   |  | Microfiche Computer Program (Appendix)  |              |    |  |  |  |  |  |
| 6.                   | Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. Computer Readable Copy b. Paper Copy (identical to computer copy) c. Statement verifying identity of above copies |   |              |    |  |  |  |  |  |

|             | of pr                 | CONTINUING Application, check appropriate box, and supply the requisite information:  Continuation Divisional Continuation-in-part  ior application no:, filed,  miner, Group/Art Unit  cross reference has been/will be inserted on page one of the specification).   |
|-------------|-----------------------|--|
| Specif      |                       | application claims the benefit of U.S. Provisional Application No. 60/432,441  December 11, 2002. (The cross reference has been/will be inserted on page one of the  |
| $\boxtimes$ |                       | application claims the priority of European Application No. 02017586.5, August 7, 2002.  |
|             | applic<br>The<br>supp | erporation By Reference (useable if filing a continuation/divisional and a copy of the declaration from the prior cation is enclosed.) entire disclosure of the prior application, from which a copy of the oath or declaration is blied, is considered as being part of the disclosure of the accompanying application and is by incorporated by reference therein. |
| ACC         | OMP                   | ANYING APPLICATION PARTS   |
| 7.          |                       | Assignment Papers (cover sheet & document(s))  |
| 8.          |                       | 37 CFR §3.73(b) Statement (when there is an assignee)  |
| 9.          |                       | Verified English Translation Document (if applicable)  |
| 10.         |                       | Information Disclosure Copies of IDS Citations  Statement (IDS)/PTO-1449   |
| 11.         | Ц                     | Preliminary Amendment  |
| 12.         |                       | Return Receipt Postcard (MPEP 503) (Should be specifically itemized)   |
| 13.         |                       | *Small Entity Statement(s)  (PTO/SB/09-12)  Statement filed in prior application, Status still proper and desired  |
| 14.         |                       | Certified Copy of Priority Document – EP 02017586.5 (if foreign priority is claimed)   |
| 15.         | $\bowtie$             | Other: Application Data Sheet – 3 Sheets   |
| COR         | RESI                  | PONDENCE ADDRESS   |
|             |                       | omer Number or Bar Code Label  005487 PATENT TRADEMARK OFFICE  Men Mule 3/ 2003  |
|             |                       | Paul R. Darkes, Reg. No. 33,862 Attorney/Agent for Applicant   |

HSC.  $c_{i,1}$ 

Aventis Pharmaceuticals Inc. Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone (908) 231-3638
Telefax (908) 231-2626
Aventis Docket No. DEAV2002/0057 US NP

Approved for use through 04/30/2003. OMB 0651-0032
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| FEE TO ANGMI                                 |             | Complete if Known    |                     |  |  |  |  |
|--|-------------|----------------------|---------------------|--|--|--|--|
| FEE TRANSMI                                  | IIAL        | Application Number   | Not Yet Assigned    |  |  |  |  |
| C =\( 000                                    | _           | Filing Date          | July 31, 2003       |  |  |  |  |
| for FY 2003                                  | 3           | First Named Inventor | STROBEL, et al.     |  |  |  |  |
| Patent fees are subject to annual re-        | vision.     | Examiner Name        |                     |  |  |  |  |
| Applicant claims small entity status. See 37 | 7 CFR 1.27  | Group / Art Unit     |                     |  |  |  |  |
| TOTAL AMOUNT OF PAYMENT                      | (\$) 750.00 | Attorney Docket No.  | DEAV2002/0057 US NP |  |  |  |  |

| METHOD OF PAYMENT (check all that apply)                         |  |  |                                   | FEE CALCULATION (continued) |             |                  |             |  |          |
|--|--|--|-----------------------------------|-----------------------------|-------------|------------------|-------------|--|----------|
| Check Credit Card Money Other None                               |  |  |                                   | 3. Al                       | ODITIO      | NAL F            | EES         |  |          |
| Order  Deposit Account   |  |  |                                   | Large E                     | ntity       | Small E          | ntity       |  |          |
| Deposit<br>Account   |  | 10.1000  |                                   | Fee<br>Code                 | Fee<br>(\$) | Fee<br>Code      | Fee<br>(\$) |  |          |
| Number<br>Deposit  |  | 18-1982  |                                   |                             | (*)         |                  | (4)         | Fee Description  | Fee Paid |
| Account<br>Name  | Avent                                    | tis Pharmaceuticals I                          | nc.                               | 1051                        | 130         | 2051             | 65          | Surcharge - late filing fee or oath  | ł        |
| The Commiss  |  | orized to: (check all the                      |                                   |                             |             |                  |             | Surcharge - late provisional filing fee or                                 |          |
|  | s) indicated below                       |  |                                   | 1052<br>1053                | 50<br>130   | 2052<br>1053     | 25<br>130   | cover sheet Non-English Specification                                      |          |
|  |  | during the pendency of th                      |                                   | 1812                        | 2,520       | 1812             | 2,520       | For filing a request for reexamination                                     |          |
|  | s) indicated below<br>ntified deposit ac | w, except for the filing fe<br>count           | е                                 | 1804                        | 920*        | 1804             | 920*        | Requesting publication of SIR prior to<br>Examiner action                  |          |
|  |  | LCULATION                                      |                                   | 1805                        | 1,840*      | 1805             | 1,840*      | Requesting publication of SIR after<br>Examiner action                     |          |
| 1. BASIC FI  |  |  |                                   | 1251                        | 110         | 2251             | 55          | Extension for reply within first month                                     |          |
| Large Entity Fee Fee Code (\$)                                   | Small Entity<br>Fee Fee<br>Code (\$)     | Fee Description                                | Fee<br>Paid                       | 1252                        | 410         | 2252             | 205         | Extension for reply within second month                                    |          |
| 1001 750   | 2001 375                                 | Utility filing fee                             | 750                               | 1253                        | 930         | 2253             | 465         | Extension for reply within third month                                     |          |
| 1002 330   | 2002 165                                 | Design filing Fee                              |                                   | 1254                        | 1,450       | 2254             | 725         | Extension for reply within fourth month                                    |          |
| 1003 520   | 2003 260                                 | Plant filing fee                               |                                   | 1255                        | 1970        | 2255             | 985         | Extension for reply within fifth month                                     |          |
| 1004 750   | 2004 375                                 | Reissue filing fee                             |                                   | 1401                        | 320         | 2401             | 160         | Notice of Appeal   |          |
| 1005 160   | 2005 80                                  | Provisional filing fee                         |                                   | 1402                        | 320         | 2402             | 160         | Filing a brief in support of an appeal                                     |          |
| J  | SUBTOT                                   | AL (1) (\$)750.00                              | )                                 | 1403                        | 280         | 2403             | 140         | Request for oral hearing   |          |
| 2. EXTRA C   |  | FOR UTILITY AND                                |                                   | 1451                        | 1,510       | 1451             | 1,510       | Petition to institute a public use proceeding                              |          |
|  |  | Fee<br>Extra from                              | Fee                               | 1452                        | 110         | 2452             | 55          | Petition to revive - unavoidable   |          |
| Total Claims   |  | Claims below  0 x 0                            | Paid<br>= 0                       | 1453                        | 1,300       | 2453             | 650         | Petition to revive - unintentional   | ļ        |
| Independent 3  | - 3**=                                   | 0 x 0  | = 0                               | 1501                        | 1,300       | 2501             | 650         | Utility issue fee (or reissue)   |          |
| Claims   | ······································   |  |                                   | 1502                        | 470         | 2502             | 235         | Design issue fee   |          |
| Multiple Depende   | ent                                      |  | =                                 | 1503                        | 630         | 2503             | 315         | Plant issue fee  |          |
|  |  | <u></u>  |                                   | 1460                        | 130         | 1460             | 130         | Petitions to the Commissioner  |          |
| Large Entity Fee Fee   | Small Entity<br>Fee Fee                  |  |                                   | 1807                        | 50          | 1807             | 50          | Petitions related to provisional applications                              |          |
| Code (\$)  | Code (\$)                                | Fee Description                                |                                   |                             |             |                  |             | applications   |          |
| 1202 18  | 2202 9                                   | Claims in excess of 20                         |                                   | 1806                        | 180         | 1806             | 180         | Submission of Information Disclosure<br>Stmt                               |          |
| 1201 84  | 2201 42                                  | Independent claims in                          | excess of 3                       | 8021                        | 40          | 8021             | 40          | Recording each patent assignment per property (times number of properties) |          |
| 1203 280   | 2203 140                                 | Multiple dependent cla<br>paid                 |                                   | 1809                        | 750         | 2809             | 375         | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1204 84  | 2204 42                                  | **Reissue independen<br>claims over original   |                                   | 1810                        | 750         | 2810             | 375         | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1205 18  | 2205 9                                   | **Reissue claims in ex<br>20 and over original | cess of                           | 1801                        | 750         | 2801             | 375         | Request for Continued Examination (RCE)                                    |          |
|  |  |  |                                   | 1802                        | 900         | 1802             | 900         | Request for expedited examination of a design application                  |          |
| SUBTOTAL (2) (\$)0.00  |  |  |                                   | Other fee                   | (specify)   |                  |             | ~ · · · · · · · · · · · · · · · · · · ·                                    |          |
| **or number previously paid, if greater; For Reissues, see above |  |  | *Reduced by Basic Filing Fee Paid |                             | e Paid      | SUBTOTAL (3) (5) |             |  |          |

| SUBMITTED BY      |                                 | Complete (If applicable)          |        |           |                |  |
|-------------------|---------------------------------|-----------------------------------|--------|-----------|----------------|--|
| Name (Print/Type) | Paul R. Darkes, Reg. No. 33,862 | Registration No. (Attorney/Agent) | 33,862 | Telephone | (908) 231-3638 |  |
| Signature         | Jan Killerthe                   |                                   |        | Date      | July 31, 2003  |  |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.